

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE:	)	CHAPTER 7 PROCEEDINGS
	)	
BRIAN DANIEL EDWARDS,	)	BANKRUPTCY CASE NO. 15-13515
	)	
Debtor,	)	JUDGE ARTHUR I. HARRIS
_____	)	
	)	
BRIAN DANIEL EDWARDS,	)	ADVERSARY PROCEEDING NO. 15-01172
	)	
Plaintiff,	)	
	)	
vs.	)	<b><u>NOTICE OF HEARING ON PLAINTIFF'S</u></b>
	)	<b><u>MOTION TO DISMISS COMPLAINT</u></b>
NELNET, et al.,	)	
	)	
Defendants.	)	

To All Parties in Interest:

The Plaintiff has filed a motion to dismiss his complaint. A hearing on this motion is scheduled on the 12<sup>th</sup> day of July, 2016, at 10:00 a.m.

**Your rights may be affected.** You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one. If you do not want the Court to enter relief in accordance with the motion, or if you want the Court to consider your views on the motion, then on or before the 5<sup>th</sup> day of July, 2016, you or your attorney must:

File a written response, explaining your position at:

Clerk of the United States Bankruptcy Court  
Howard M. Metzenbaum U.S. Courthouse  
201 Superior Avenue  
Cleveland, Ohio 44114

If you mail your response to the Court for filing, you must mail it early enough so that the Court will **receive** it on or before the date stated above.

You must also mail a copy to:

Kenneth P. Frankel  
Smith and Smith Attorneys  
110 Moore Road  
Avon Lake, Ohio 44012-0210

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Respectfully submitted,

/s/ Kenneth P. Frankel

KENNETH P. FRANKEL (0008788)

SMITH AND SMITH ATTORNEYS

110 Moore Road

Avon Lake, Ohio 44012

(440) 933-3231

(440) 933-4299 (FAX)

[kpfsaz@excite.com](mailto:kpfsaz@excite.com)

*Attorney for Plaintiff Brian Daniel Edwards*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of Plaintiff's foregoing Notice of Hearing was served on June 15, 2016, to the following:

Via the Court's Electronic Case Filing System to:

Renee A. Bacchus on behalf of U.S. Dept. of Education at [Renee.Bacchus@usdoj.gov](mailto:Renee.Bacchus@usdoj.gov)

Via Regular U.S. mail to the following:

Nelnet  
P.O.Box 82561  
Lincoln Nebraska 68501-2561

Nelnet  
c/o Jeffrey R. Noordhoek, CEO  
P.O. Box 2877  
Omaha, Nebraska 68103-2877

United States Attorney General  
U.S. Department of Justice  
Constitution and 10<sup>th</sup> Streets, NW  
Washington, DC 20530

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801W. Superior Avenue  
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/s/ Kenneth P. Frankel  
KENNETH P. FRANKEL (0008788)  
SMITH AND SMITH ATTORNEYS  
*Attorney for Plaintiff*